

RESOLUTION NUMBER 1985-49

RESOLUTION TO ESTABLISH AN OCCUPATIONAL SAFETY AND HEALTH PROGRAM, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM.

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee, WEAKLEY COUNTY hereby establishes the "Occupational Safety and Health Program for the Employees of WEAKLEY COUNTY."

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF WEAKLEY COUNTY COMMISSIONERS that there be and is hereby created an occupational safety and health program for the employees of WEAKLEY COUNTY as follows:

TITLE:

This section shall provide authority for establishing and administering the Occupational Safety and Health Program for the employees of WEAKLEY COUNTY.

PURPOSE:

WEAKLEY COUNTY, in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

- (1) Provide a safe and healthful place and condition of employment.
- (2) Make, keep, preserve, and make available to the Commissioner of Labor of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- (3) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards and provide for education and notification of all employees of the existence of this program.

COVERAGE:

The provision of the Occupational and Safety and Health Program for the Employees of WEAKLEY COUNTY shall apply to all employees of each administrative department, commission, board, division, or other agency of WEAKLEY COUNTY whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED:

The occupational safety and health standards adopted by WEAKLEY COUNTY are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (TCA Title 50, Chapter 5).

VARIANCES FROM STANDARDS AUTHORIZED:

WEAKLEY COUNTY may, upon written application to the Commissioner of Labor of the State of Tennessee, request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with " Rules of Tennessee Department of Labor, Occupational Safety, Chapter 0800-1-2, as authorized by TCA, Title 5. Prior to requesting such temporary variance, the DIRECTOR shall notify or serve notice to employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board as designated by the DIRECTOR shall be deemed sufficient notice to employees.

ADMINISTRATION:

For the purpose of this ordinance, EMERGENCY MANAGEMENT DIRECTOR is designated as the Director of Occupational Safety and Health to perform duties and to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program for the Employees of WEAKLEY COUNTY. The Director shall develop a plan of operation for the program and said plan shall become a part of this resolution when it satisfies all applicable sections of the Tennessee Occupational Safety and Health Act of 1972 and Part IV of the Tennessee Occupational Safety and Health Plan.

FUNDING THE PROGRAM:

Sufficient funds for administering and staffing the program pursuant to this resolution shall be made available as authorized by the BOARD OF WEAKLEY COUNTY COMMISSIONERS.

BE IT FURTHER RESOLVED that if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

BE IT FURTHER RESOLVED, that all resolutions of the BOARD OF COUNTY COMMISSIONERS OF WEAKLEY COUNTY, TENNESSEE, which are in conflict with this resolution are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall take effect from and after the date it shall have been passed by the WEAKLEY COUNTY BOARD OF COMMISSIONERS, properly signed, certified, and has met all other legal requirements of WEAKLEY COUNTY, and as otherwise provided by law, the public welfare requiring it.

PURSUANT TO THE RULES OF THE WEAKLEY COUNTY LEGISLATIVE BODY, THIS RESOLUTION IS SPONSORED BY THE FOLLOWING COMMISSIONERS:

Bobby E. Parker Larry M. Jolley

APPROVED 18

DISAPPROVED 0

PASS 0

Johnny Vincent HEW
CHAIRMAN COMMITTEE

Motion made by Commissioner Johnny Vincent

that the foregoing and hereto attached Resolution be approved.

Seconded by Commissioner Larry Jolley. Upon being put to

a roll call vote, motion carried.

APPROVED:

H. C. Brundige
H. C. Brundige, County Executive

ATTESTED TO:

Faye Butts
Faye Butts, County Clerk